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PRIVATE CENSORSHIP

KILLING 'KATHARINE THE GREAT'

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On October 22, writers won a rare victory. A publisher that had in effect killed a book agreed to pay the author \$100,000 to settle a breach of contract lawsuit she had filed against it. In early 1980, just two months after the publication of *Katharine the Great*, Deborah Davis's much-touted work about Katharine Graham and *The Washington Post*, Harcourt Brace Jovanovich withdrew as the book's publisher because, Davis charged, of complaints about it from Graham and *Post* editor Ben Bradlee. Davis claimed her book had been suppressed, and sued H.B.J. for \$6 million in damages. The publisher countered that its withdrawal was "responsible publishing" because the book had many errors.

Davis had proposed the book in 1978. Her outline promised a full account of Graham's life and the inside scoop on *The Post*'s ties with the Central Intelligence Agency. It also said the book would reveal the identity of Deep Throat, the mysterious informant who had been Bob Woodward and Carl Bernstein's primary source on the Watergate break-in. In June 1978, she signed a contract with H.B.J. and received an advance of \$35,000, a sizable sum for a first book.

In July of the following year, Davis submitted her completed manuscript, which was accepted after she had made some revisions and an outside lawyer, a specialist on libel, had vetted it. Publication day was scheduled for November 6, and a first printing of 25,000 copies was ordered. A vigorous advertising and publicity campaign was planned; the Literary Guild chose *Katharine the Great* as an alternate selection and con-

tracted to begin distributing a book-club edition that winter; and thousands of copies were shipped to bookstores. In other words, all the initial signs were favorable.

Then the trouble started. As promised, Davis had named Deep Throat in the book. He was, she claimed, Richard Ober, a counterintelligence expert with the C.I.A. and former head of Operation Chaos, a campaign to disrupt antiwar and antidraft groups during the Vietnam conflict. In a letter written on publication day, a lawyer representing Ober charged that certain references to his client were "defamatory and libelous." He demanded that all copies of the book be recalled immediately, and that the errors be corrected.

The letter called Davis's theory that Ober had been involved in Watergate dirty tricks a "complete fabrication." Specifically, it branded as false Davis's assertion that Ober had been involved with the "Plumbers," the group of clandestine operatives headed by former C.I.A. agents E. Howard Hunt and G. Gordon Liddy. It also denied he had helped plan the break-in at the office of the psychiatrist of Daniel Ellsberg, the former Defense Department employee who had leaked the Pentagon papers to the press. Davis agreed to delete all allegations about Ober's involvement in Watergate; however, since the lawyer did not deny her claim that Ober was Deep Throat, she let that stand. A second printing of 1,500 books containing the corrections was ordered by the publisher.

A couple of weeks after Davis received the letter from Ober's lawyer, there was more trouble. Ben Bradlee sent an angry letter, dated November 20, to Gene Stone, Davis's editor at H.B.J., claiming that Davis had made thirty-nine errors in the thirty-nine pages where his name appeared; he listed twenty-six of them. Most were minor, but several (if indeed they were errors) were crucial to Davis's thesis that *The Post* and the C.I.A. had secretly collaborated. Bradlee wrote, "I am told I could sue you, although, as an editor, libel suits are an anathema to me." He threatened to "tell author friends to steer clear of you as though you had the plague, to brand Davis as a fool, and to put your company in that special little group of publishers who don't give a shit for the truth."

About a week after Bradlee had dispatched his blistering letter, a reporter from *The Post* called Stone and asked if it was true he had been fired because of the Graham book. In a memorandum to William Jovanovich, chairman and chief executive editor of H.B.J., Stone said he believed that the false rumor he had been fired was started because of Bradlee's unhappiness with Davis's book. Two weeks later Stone

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